

**U.S. District Court**  
**Western District of Tennessee (Memphis)**  
**CIVIL DOCKET FOR CASE #: 2:25-cv-02101-MSN-cgc**

Agilent Technologies, Inc. v. Xpedient Management Group, LLC et al  
Assigned to: Judge Mark S. Norris  
Referred to: Magistrate Judge Charmiane G. Claxton  
Cause: 28:1332 Diversity-Other Contract

Date Filed: 01/30/2025  
Jury Demand: Plaintiff  
Nature of Suit: 190 Contract: Other  
Jurisdiction: Diversity

**Plaintiff**

**Agilent Technologies, Inc.**

represented by **Amber S. Finch**  
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V.

**Defendant****Xpedient Management Group, LLC**

represented by **Andrew B Schrack**  
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**William P Thomas**

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**Defendant****St. Paul Fire and Marine Insurance  
Company**

represented by **Michael James Petherick**  
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**Paige I Bernick**

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**Peter C. Robison**

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**Ryan Nelson Clark**  
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*ATTORNEY TO BE NOTICED*

**Cross Claimant**

**Xpedient Management Group, LLC**

represented by **Andrew B Schrack**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**William P Thomas**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Cross Defendant**

**St. Paul Fire and Marine Insurance  
 Company**

represented by **Paige I Bernick**  
 (See above for address)  
*TERMINATED: 05/20/2025*  
*ATTORNEY TO BE NOTICED*

**Peter C. Robison**  
 (See above for address)  
*TERMINATED: 05/20/2025*  
*ATTORNEY TO BE NOTICED*

**Ryan Nelson Clark**  
 (See above for address)  
*TERMINATED: 05/20/2025*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
01/30/2025	<a href="#"><u>1</u></a>	COMPLAINT against All Defendants (Filing fee \$ 405 receipt number ATNWDC-4604920), filed by Agilent Technologies, Inc.. (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet, # <a href="#"><u>2</u></a> Summons, # <a href="#"><u>3</u></a> Summons)(Halijan, Douglas) (Entered: 01/30/2025)
01/30/2025	<a href="#"><u>2</u></a>	Sealed Document <i>Exhibits A and B to Complaint</i> . (Attachments: # <a href="#"><u>1</u></a> Exhibit)(Halijan, Douglas) (Entered: 01/30/2025)

01/30/2025	<a href="#">3</a>	Judge Mark S. Norris and Magistrate Judge Charmiane G. Claxton added. (cmm) (Entered: 01/31/2025)
01/30/2025	<a href="#">6</a>	NOTICE TO COMPLY WITH PLAN FOR ALTERNATE DISPUTE RESOLUTION (ADR): Pursuant to Section to 2.1 of the ADR Plan, all civil cases filed on or after Sept. 1, 2014, shall be referred automatically for ADR. For compliance requirements, refer to the ADR Plan at: <a href="http://www.tnwd.uscourts.gov/pdf/content/ADRPlan.pdf">http://www.tnwd.uscourts.gov/pdf/content/ADRPlan.pdf</a> (cmm) (Entered: 01/31/2025)
01/30/2025	<a href="#">7</a>	NOTICE OF CASE TRACKING ASSIGNMENT PURSUANT TO LOCAL RULE 16.2: Pursuant to Local Rule 16.2, this case has been assigned to the Standard track. <a href="http://www.tnwd.uscourts.gov/pdf/content/LocalRules.pdf">http://www.tnwd.uscourts.gov/pdf/content/LocalRules.pdf</a> (cmm) (Entered: 01/31/2025)
01/30/2025	<a href="#">8</a>	NOTICE OF RIGHT TO CONSENT TO THE EXERCISE OF CIVIL JURISDICTION BY A MAGISTRATE JUDGE Pursuant to 28 U.S.C. 636(c), Fed.R.Civ.P.73, and Local Rule 72.1, this Court has designated the Magistrate Judges of this District to conduct trials and otherwise dispose of any civil case that is filed in this Court. Your decision to consent, or not consent, to the referral of your case to a United States Magistrate Judge for trial and entry of a final judgment must be entirely voluntary. The judge or magistrate judge to whom the case has been assigned will not be informed of your decision unless all parties agree that the case may be referred to a magistrate judge for these specific purposes. A less than unanimous decision will not be communicated by this office to either the judge or magistrate judge. The consent form is available on the courts website at <a href="https://www.tnwd.uscourts.gov/forms-and-applications.php">https://www.tnwd.uscourts.gov/forms-and-applications.php</a> (cmm) (Entered: 01/31/2025)
01/31/2025	<a href="#">4</a>	Summons Issued as to St. Paul Fire and Marine Insurance Company. The filer has been notified electronically that the summons has been issued, and the new docket entry reflects this. Upon notification of the new docket entry, the filer is to print the issued summons in order to effect service. (cmm) (Entered: 01/31/2025)
01/31/2025	<a href="#">5</a>	Summons Issued as to Xpedient Management Group, LLC. The filer has been notified electronically that the summons has been issued, and the new docket entry reflects this. Upon notification of the new docket entry, the filer is to print the issued summons in order to effect service. (cmm) (Entered: 01/31/2025)
02/03/2025	<a href="#">9</a>	NOTICE of Appearance by Elena R. Mosby on behalf of Agilent Technologies, Inc. (Mosby, Elena) (Entered: 02/03/2025)
02/05/2025	<a href="#">10</a>	SUMMONS Returned Executed by Agilent Technologies, Inc. as to Xpedient Management Group, LLC. (Halijan, Douglas) (Entered: 02/05/2025)
02/05/2025	<a href="#">11</a>	SUMMONS Returned Executed by Agilent Technologies, Inc. as to St. Paul Fire and Marine Insurance Company. (Halijan, Douglas) (Entered: 02/05/2025)
02/07/2025	<a href="#">12</a>	MOTION for Leave to Appear Pro Hac Vice of <i>Margaret C. McDonald</i> ; <i>proposed order submitted</i> (Filing fee \$ 150 receipt number ATNWDC-4611257) by Agilent Technologies, Inc.. (McDonald, Margaret) (Entered: 02/07/2025)
02/07/2025	<a href="#">13</a>	MOTION for Leave to Appear Pro Hac Vice of <i>Amber S. Finch</i> ; <i>proposed order submitted</i> (Filing fee \$ 150 receipt number ATNWDC-4611696) by Agilent Technologies, Inc.. (Finch, Amber) (Entered: 02/07/2025)
02/19/2025	<a href="#">14</a>	ORDER granting <a href="#">13</a> Motion for Leave to Appear Pro Hac Vice. Signed by Judge Mark S. Norris on 02192025. (msn) (Entered: 02/19/2025)
02/19/2025	<a href="#">15</a>	ORDER granting <a href="#">12</a> Motion for Leave to Appear Pro Hac Vice. Signed by Judge Mark S. Norris on 02192025. (msn) (Entered: 02/19/2025)

02/24/2025	<a href="#">16</a>	NOTICE of Appearance by Paige I Bernick on behalf of St. Paul Fire and Marine Insurance Company (Bernick, Paige) (Entered: 02/24/2025)
02/24/2025	<a href="#">17</a>	NOTICE of Appearance by Ryan Nelson Clark on behalf of St. Paul Fire and Marine Insurance Company (Clark, Ryan) (Entered: 02/24/2025)
02/24/2025	<a href="#">18</a>	NOTICE of Appearance by Peter C. Robison on behalf of St. Paul Fire and Marine Insurance Company (Robison, Peter) (Entered: 02/24/2025)
02/24/2025	<a href="#">19</a>	MOTION to Dismiss by St. Paul Fire and Marine Insurance Company. (Attachments: # <a href="#">1</a> Memorandum in Support of Motion to Dismiss)(Bernick, Paige) (Entered: 02/24/2025)
02/24/2025	<a href="#">20</a>	Corporate Disclosure Statement by St. Paul Fire and Marine Insurance Company identifying Corporate Parent St. Paul Fire and Marine Insurance Company for St. Paul Fire and Marine Insurance Company.. (Bernick, Paige) (Entered: 02/24/2025)
02/24/2025	<a href="#">21</a>	ANSWER to <a href="#">1</a> Complaint <i>ANSWER AND DEFENSES OF DEFENDANT XPEDIENT MANAGEMENT GROUP, LLC, AND CROSS-CLAIM AGAINST ST. PAUL FIRE AND MARINE INSURANCE COMPANY</i> by Xpedient Management Group, LLC.(Schrack, Andrew) (Entered: 02/24/2025)
02/24/2025	<a href="#">22</a>	Sealed Document <i>EX 1 to DE 021 ANSWER</i> . (Schrack, Andrew) (Entered: 02/24/2025)
02/24/2025	<a href="#">23</a>	Sealed Document <i>EX 2 to DE 021 ANSWER</i> . (Schrack, Andrew) (Entered: 02/24/2025)
02/24/2025	<a href="#">24</a>	Corporate Disclosure Statement by Xpedient Management Group, LLC. (Schrack, Andrew) (Entered: 02/24/2025)
02/24/2025	<a href="#">25</a>	Corporate Disclosure Statement by St. Paul Fire and Marine Insurance Company. (Bernick, Paige) (Entered: 02/24/2025)
02/24/2025	<a href="#">26</a>	CROSSCLAIM against St. Paul Fire and Marine Insurance Company, filed by Xpedient Management Group, LLC.(Schrack, Andrew) (Entered: 02/24/2025)
02/25/2025	<a href="#">27</a>	<p>SETTING LETTER: Scheduling Conference set for Friday, 05/16/2025 at 10:00 AM before Judge Mark S. Norris.</p> <p>The proceeding will be held via Microsoft Teams video conference. The Court will email the parties an invitation for the video conference prior to the proceeding.</p> <p>Counsel should submit any exhibits to be offered to the Judge's ECF mailbox prior to the proceeding.</p> <p>The public may also access the video proceeding. If the public and/or media wish to attend in the video proceeding, please click on the following link to request access information: <a href="https://www.tnwd.uscourts.gov/videohearings">https://www.tnwd.uscourts.gov/videohearings</a> The access information will be delivered via email to the email address from which the request originated.</p> <p>Parties should consult the instructions for <a href="#">Joining a Meeting in Teams</a> or <a href="#">Joining a Meeting Without a Teams Account</a>. (zsf) (Entered: 02/25/2025)</p>
02/26/2025	28	COURTESY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <a href="#">16</a> Notice of Appearance filed by St. Paul Fire and Marine Insurance Company has been filed. For future reference, please note certificate of service has a partial electronic signature. Please refer to the <a href="#">ECF User Manual</a> and <a href="#">ECF Policies and Procedures</a> . Filer is not required to resubmit document. (mf) (Entered: 02/26/2025)
02/26/2025	29	COURTESY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <a href="#">17</a> Notice of Appearance filed by St. Paul Fire and Marine Insurance Company

		has been filed. For future reference, please note certificate of service has a partial electronic signature. Please refer to the <a href="#">ECF User Manual</a> and <a href="#">ECF Policies and Procedures</a> . Filer is not required to resubmit document. (mf) (Entered: 02/26/2025)
02/26/2025	30	COURTESY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <a href="#">18</a> Notice of Appearance filed by St. Paul Fire and Marine Insurance Company has been filed. For future reference, please note certificate of service has a partial electronic signature. Please refer to the <a href="#">ECF User Manual</a> and <a href="#">ECF Policies and Procedures</a> . Filer is not required to resubmit document. (mf) (Entered: 02/26/2025)
02/26/2025	31	COURTESY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <a href="#">19</a> MOTION to Dismiss filed by St. Paul Fire and Marine Insurance Company has been filed. For future reference, please note certificate of service has a partial electronic signature. Please refer to the <a href="#">ECF User Manual</a> and <a href="#">ECF Policies and Procedures</a> . Filer is not required to resubmit document. (mf) (Entered: 02/26/2025)
02/26/2025	32	COURTESY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <a href="#">20</a> Corporate Disclosure Statement filed by St. Paul Fire and Marine Insurance Company has been filed. For future reference, please note certificate of service has a partial electronic signature. Please refer to the <a href="#">ECF User Manual</a> and <a href="#">ECF Policies and Procedures</a> . Filer is not required to resubmit document. (mf) (Entered: 02/26/2025)
02/26/2025	33	COURTESY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <a href="#">25</a> Corporate Disclosure Statement filed by St. Paul Fire and Marine Insurance Company has been filed. For future reference, please note certificate of service has a partial electronic signature. Please refer to the <a href="#">ECF User Manual</a> and <a href="#">ECF Policies and Procedures</a> . Filer is not required to resubmit document. (mf) (Entered: 02/26/2025)
03/03/2025	<a href="#">34</a>	Corporate Disclosure Statement by Agilent Technologies, Inc.. (Halijan, Douglas) (Entered: 03/03/2025)
03/07/2025	<a href="#">35</a>	NOTICE of Appearance by William P Thomas on behalf of Xpedient Management Group, LLC (Thomas, William) (Entered: 03/07/2025)
03/17/2025	<a href="#">36</a>	MOTION to Dismiss <i>Cross-Claim</i> by St. Paul Fire and Marine Insurance Company. (Attachments: # <a href="#">1</a> Memorandum in Support of Motion to Dismiss Cross-Claim)(Bernick, Paige) (Entered: 03/17/2025)
03/24/2025	<a href="#">37</a>	RESPONSE in Opposition re <a href="#">19</a> MOTION to Dismiss filed by Agilent Technologies, Inc.. (Halijan, Douglas) (Entered: 03/24/2025)
03/25/2025	<a href="#">38</a>	<p>SETTING LETTER: Scheduling Conference RESET on Friday, 06/06/2025 at 09:30 AM before Judge Mark S. Norris. (Reset from 05/16/2025)</p> <p>The proceeding will be held via Microsoft Teams video conference. The Court will email the parties an invitation for the video conference prior to the proceeding.</p> <p>Counsel should submit any exhibits to be offered to the Judge's ECF mailbox prior to the proceeding.</p> <p>The public may also access the video proceeding. If the public and/or media wish to attend in the video proceeding, please click on the following link to request access information: <a href="https://www.tnwd.uscourts.gov/videohearings">https://www.tnwd.uscourts.gov/videohearings</a> The access information will be delivered via email to the email address from which the request originated.</p> <p>Parties should consult the instructions for <a href="#">Joining a Meeting in Teams</a> or <a href="#">Joining a Meeting Without a Teams Account</a>. (zsf) (Entered: 03/25/2025)</p>



04/07/2025	<a href="#">39</a>	REPLY to Response to Motion re <a href="#">37</a> Response in Opposition to Motion <i>to Dismiss</i> filed by St. Paul Fire and Marine Insurance Company. (Bernick, Paige) (Entered: 04/07/2025)
04/09/2025	40	DEFICIENCY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <a href="#">39</a> Reply to Response to Motion filed by St. Paul Fire and Marine Insurance Company has been filed. However, the following deficiency has been found: certificate of service has a partial electronic signature. Please refer to the <a href="#">ECF User Manual</a> and <a href="#">ECF Policies and Procedures</a> . The filer has one business day to correct the deficiency. (mf) (Entered: 04/09/2025)
04/09/2025	<a href="#">41</a>	REPLY to Response to Motion re <a href="#">37</a> Response in Opposition to Motion <i>to Dismiss</i> filed by St. Paul Fire and Marine Insurance Company. (Bernick, Paige) (Entered: 04/09/2025)
04/14/2025	<a href="#">42</a>	RESPONSE in Opposition re <a href="#">36</a> MOTION to Dismiss <i>Cross-Claim</i> filed by Xpedient Management Group, LLC. (Thomas, William) (Entered: 04/14/2025)
04/28/2025	<a href="#">43</a>	REPLY to Response to Motion re <a href="#">42</a> Response in Opposition to Motion <i>to Dismiss Cross Claim</i> filed by St. Paul Fire and Marine Insurance Company. (Bernick, Paige) (Entered: 04/28/2025)
04/29/2025	44	DEFICIENCY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document <a href="#">43</a> Reply to Response to Motion filed by St. Paul Fire and Marine Insurance Company has been filed. However, the following deficiency has been found: certificate of service has a partial electronic signature. Please refer to the <a href="#">ECF User Manual</a> and <a href="#">ECF Policies and Procedures</a> . The filer has one business day to correct the deficiency. (mf) (Entered: 04/29/2025)
04/30/2025	<a href="#">45</a>	REPLY to Response to Motion re <a href="#">42</a> Response in Opposition to Motion <i>to Dismiss Cross Claim</i> filed by St. Paul Fire and Marine Insurance Company. (Bernick, Paige) (Entered: 04/30/2025)
05/06/2025	<a href="#">46</a>	<p>SETTING LETTER: Scheduling Conference RESET to Friday, 07/11/2025 at 09:30 AM before Judge Mark S. Norris. (Reset from 06/06/2025)</p> <p>The proceeding will be held via Microsoft Teams video conference. The Court will email the parties an invitation for the video conference prior to the proceeding.</p> <p>Counsel should submit any exhibits to be offered to the Judge's ECF mailbox prior to the proceeding.</p> <p>The public may also access the video proceeding. If the public and/or media wish to attend in the video proceeding, please click on the following link to request access information: <a href="https://www.tnwd.uscourts.gov/videohearings">https://www.tnwd.uscourts.gov/videohearings</a> The access information will be delivered via email to the email address from which the request originated.</p> <p>Parties should consult the instructions for <a href="#">Joining a Meeting in Teams</a> or <a href="#">Joining a Meeting Without a Teams Account</a>. (zsf) (Entered: 05/06/2025)</p>
05/20/2025	<a href="#">47</a>	MOTION Unopposed Motion for Withdrawal and Substitution of Counsel by St. Paul Fire and Marine Insurance Company. (Petherick, Michael) (Entered: 05/20/2025)
05/20/2025	48	<p><b>[**TEXT ORDER ONLY NO DOCUMENT ATTACHED**]</b> ORDER GRANTING <a href="#">47</a> UNOPPOSED MOTION FOR WITHDRAWAL AND SUBSTITUTION OF COUNSEL. Defendant St. Paul Fire and Marine Insurance Company has moved for the withdrawal of Paige I. Bernick, Peter C. Robison, and Ryan N. Clark of Lewis Thomason, P.C., and the substitution of Sean W. Martin and Michael J. Petherick of Carr Allison as counsel of record. The Motion is unopposed. For good cause shown, the Motion is well-taken and is hereby <b>GRANTED</b>. The above-named attorneys from Lewis Thomason, P.C. are permitted</p>

		to withdraw, and the attorneys from Carl Allison are substituted as counsel of record for Defendant St. Paul Fire and Marine Insurance Company. IT IS SO ORDERED. Signed by Judge Mark S. Norris on 05/20/2025. (Norris, Mark) (Entered: 05/20/2025)
05/21/2025	<a href="#">49</a>	MOTION to Continue <i>Unopposed Motion for Brief Continuance of Scheduling Conference, proposed order submitted by</i> Agilent Technologies, Inc.. (Halijan, Douglas) (Entered: 05/21/2025)
05/21/2025	50	<b>[**TEXT ORDER ONLY - NO DOCUMENT ATTACHED**]</b> ORDER GRANTING <a href="#">49</a> PLAINTIFF'S UNOPPOSED MOTION FOR BRIEF CONTINUANCE OF SCHEDULING CONFERENCE. Before the Court is Plaintiff's Unopposed Motion for Brief Continuance of Scheduling Conference. Plaintiff requests a short postponement of the Scheduling Conference set for July 11, 2025, due to counsel's previously scheduled travel commitment. Defendants do not oppose this request. For good cause shown, Plaintiff's Motion is well-taken and hereby <b>GRANTED</b> . The Scheduling Conference is <b>RESET</b> for <b>August 15, 2025 at 10:30 AM</b> IT IS SO ORDERED. Signed by Judge Mark S. Norris on 05/21/2025.(Norris, Mark) (Entered: 05/21/2025)
05/21/2025	<a href="#">51</a>	<p>SETTING LETTER: Scheduling Conference RESET on Friday, 08/15/2025 at 10:30 AM before Judge Mark S. Norris.</p> <p>The proceeding will be held via Microsoft Teams video conference. The Court will email the parties an invitation for the video conference prior to the proceeding.</p> <p>Counsel should submit any exhibits to be offered to the Judge's ECF mailbox prior to the proceeding.</p> <p>The public may also access the video proceeding. If the public and/or media wish to attend in the video proceeding, please click on the following link to request access information: <a href="https://www.tnwd.uscourts.gov/videohearings">https://www.tnwd.uscourts.gov/videohearings</a> The access information will be delivered via email to the email address from which the request originated.</p> <p>Parties should consult the instructions for <a href="#">Joining a Meeting in Teams</a> or <a href="#">Joining a Meeting Without a Teams Account</a>. (zsf) (Entered: 05/21/2025)</p>

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Transaction Receipt			
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PACER Login:	jwelborn	Client Code:	
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